

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CITY OF LAKELAND EMPLOYEES	)	Case No. 1:10-cv-06016
PENSION PLAN, Individually and on Behalf	)	
of All Others Similarly Situated,	)	<u>CLASS ACTION</u>
	)	
Plaintiff,	)	Assigned to: Judge John J. Tharp, Jr.
	)	
vs.	)	
	)	
BAXTER INTERNATIONAL INC., et al.,	)	
	)	
Defendants.	)	
	)	
	)	

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**LEAD PLAINTIFF'S UNOPPOSED MOTION TO CONTINUE DEADLINE FOR  
COMPLETION OF THREE FACT DISCOVERY DEPOSITIONS**

Lead Plaintiff National Elevator Industry Pension Fund ("Plaintiff") files this unopposed motion and respectfully requests that the Court enter an Order continuing the deadline for completion of three fact discovery depositions. In support thereof, Plaintiff states:

1. Fact discovery is currently set to conclude on November 14, 2014. *See* Dkt. Nos. 205, 225.
2. Plaintiff states that in accordance with the Court's May 14, 2014 instructions [Dkt. No. 205], the parties completed all fact-based document discovery by August 29, 2014.
3. The only remaining fact discovery is the depositions of the three individual Defendants.

4. In light of the deadlines set in the Court's September 23, 2014 Order [Dkt. No. 225], the parties have conferred and agreed to continue the three remaining depositions. A continuance will allow the parties to complete expert discovery related to the limited issue of price impact, without requiring modification to any of the other deadlines established by the Court, such as expert witness discovery or the schedule for dispositive motions.

5. In light of the foregoing, Plaintiff respectfully requests that the deadline to complete the depositions of the three Individual Defendants be extended until February 27, 2015. The parties have discussed coordination of the three remaining depositions and the schedules of the three Individual Defendants, and anticipate no problems completing the depositions by the end of February 2015.

6. In compliance with Local Rule 37.2, counsel for the parties conferred with each other by telephone on several occasions, including September 28-29, 2014 and October 3, 2014, and by electronic mail. Counsel for Plaintiff advises that Defendants do not oppose the relief requested herein.

WHEREFORE, for the foregoing reasons, Plaintiff respectfully requests that the Court enter an Order extending the deadline to complete the depositions of the three Individual Defendants until February 27, 2015, and for such other and further relief as this Court deems just and proper

DATED: October 3, 2014

MILLER LAW LLC  
MARVIN A. MILLER  
MATTHEW E. VAN TINE  
LORI A. FANNING

*/s/ Lori A. Fanning*

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Lead Counsel for Lead Plaintiff

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on October 3, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this notice as service of this document by electronic means.

/s/ Lori A. Fanning

LORI A. FANNING